

# EXHIBIT C

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
W. R. GRACE & CO., <u>et al.</u> , <sup>1</sup>	)	Case No. 01-01139 (JKF)
	)	
Debtors.	)	Jointly Administered

**DECLARATION OF JAMES SEVEM IN SUPPORT OF  
DEBTORS' OBJECTION TO THE ROYALTY CLAIM OF CIRCLE BAR RANCH**

I, James Sevem, hereby declare that the following is true to the best of my knowledge, information and belief:

1. I am the Vice President of Cottonwood Land Company which has offices located at 701 Market Street, St. Louis, MO 63101. I submit this declaration (the "Declaration") in support of the "*Objection to Royalty Claim of Circle Bar Ranch.*" This Declaration is based on my personal knowledge and review of the relevant documents.

2. I am responsible for resource management of Cottonwood Land Company.

3. On August 2, 1995, Cottonwood Land Company, a subsidiary of Peabody Energy, entered into a certain Agreement to Sell Real Property Known As the Williams Fork Mountain

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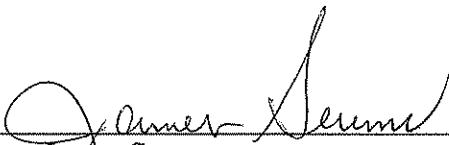
<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

Ranch in Routt County, Colorado with H-G Coal Company and Axial Basin Ranch Company. Two amendments to the Agreement were executed on September 18 and September 22, 1995 respectively (together with the original Agreement the "Real Estate Sale Agreements").

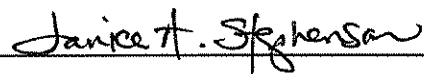
4. Cottonwood Land Company still owns and has never mined any coal from the land purchased in the Real Estate Sale Agreements. The land is currently used for agricultural and recreational purposes only.

The information contained in this Declaration is true and correct to the best of my knowledge and belief.

February 22, 2007

  
James Sevem  
Vice President,  
Cottonwood Land Company

Subscribed and sworn to before me  
This 22<sup>nd</sup> day of February, 2007.

  
NOTARY PUBLIC, State of Missouri  
My Commission Expires: 02/16/09

